

RIPS HIDE OFF OF RACING BILL

Declares the Proposed Law Is Only a Subterfuge of the Gamblers.

CRANDAL MACKEY'S STARTLING DISCLOSURES

Commonwealth's Attorney of
Alexandria County, Who Has
Fought and Run Out the
Race-Track Owners of
His Section Analyzes
the Scheme.

HOUSE bill No. 421, entitled "A bill to establish a State Breeders' Association" is analyzed below by Crandal Mackey, of Alexandria county. As Commonwealth's Attorney, Mr. Mackey made a gallant and successful fight against the plague spot of St. Asaph's. His opinion on racing laws and customs in Virginia is therefore of unusual value.

Rosslyn, Alexandria county, Va.,
March 1, 1908.

Editor of The Times-Dispatch:

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Editor of The Times-Dispatch:
Sir,—I invoke the power of your newspaper that always stands for high ideals to defeat House bill No. 421 entitled "A bill to establish a State Breeders' Association," and providing penalties for pool selling, bookmaking and other gambling, etc.
If this bill is enacted into law, the

Legislature of Virginia will have pulled down the bars and opened wide the gates for every form of race track gambling, and the laws of the State will be powerless to punish the offenders. This bill is a close copy of the "Gray Percy law," which was gotten through

It is similar to a law passed by the Legislature of Maryland some years ago, which the Legislature promptly repealed, after finding out that while it looked innocent on its face, it had the effect of establishing race-track gambling houses all over the State of Maryland. Even Christian people and ministers of the gospel by the score, went to Annapolis and urged the passage of the Maryland law, under the impression that it would stop race-

track gambling, while the race-track gamblers, who got up the bill, were enabled to carry on their gambling and racing twelve months in the year. The bill is also a modification of the "Ives pool bill" that was gotten up by gamblers in New York, and supported by good and respectable men under the belief that it would allow only legitimate racing: when, as a matter

fact, it did more to increase professional racing and race-track gambling than any law ever passed by the New York Legislature.

condition of the race-track gambling laws' at the present time. The only effective bill ever passed by the Virginia Legislature against race-track gambling was the act of February 23, 1896, and the Court of Appeals in the case of Lacy vs. Palmer, 93 Virginia, held that this act was unconstitutional because its title was defective, and the act could only be held effective against pool selling, which is an obsolete form of bookmaking, but no longer indulged in by race-track gamblers. It is well

known now that this defective title was purposely put in the bill. The other act of February 25, 1892, was intended to destroy betting on races whether occurring within or beyond the limits of the State, but the Court of Appeals of Virginia in the *Lescage*

ette case 89 Virginia, 878, construe the statute as applying only to bets actually made in the State, and a poolrooms and bookmakers carry their betting business on upon races held outside of the State the act last mentioned is also abortive.

After that decision the General Assembly undertook to remedy the defect by a broad and sweeping mandatory act, approved March 3, 1897, which was so amended by the race track gamblers as to except from its operation grounds owned or controlled by agricultural associations and driving clubs chartered before the passage

of the act, but this had the effect of protecting all the existing race-track gambling places in the State, as the names of agricultural associations are driving clubs. Subsequently, under the leadership of Mr. Maupin, the General

Assembly of Virginia proceeded to carry out the purpose of the Act of 1895 which the Court of Appeals in the Lescalette case had defeated. The Legislature enacted two statutes, which were approved February 29, 1896, and can be found at pages 576 and 579 of

Gamblers Evade Law.

The act printed on page 579 does not reach a commission transaction carried on by bookmakers, unless the money received is to be forwarded to a race-track outside of the State, and

the gamblers got around this act by forwarding the money to some individual or association, not a race-track and the individual or association outside of the State forwarded the money to the race-track. As a matter of fact they did not forward money at all a

and it is next to impossible to prove a case against them in court, as I have found by long and bitter experience fighting race-track gamblers in this county.

at this time, when it is proposed to pass House bill No. 421, which is the deceptive title that it is intended to encourage the breeding of horses, a title that has been on every race-track gambling bill ever presented to an Legislature in this country, entitled:

last twenty years. I tried to get the General Assembly to amend the act of February, 1896, by giving it a proper title, and at the last General Assembly I appeared before the Judiciary Committee of the Senate and the committee unanimously recommended the passage of the bill.